

I. INTRODUCTION

A. Purpose

To provide employees with up to ten (10) working days per calendar year of military leave to serve under orders on training duty, without loss of time or pay. Regulatory reference; Classified: 101 KAR 2:100, Section 5. Unclassified: 101 KAR 3:010, Section 5.

II. PROCEDURES

A. Employees Eligible to Receive Military Leave

Any employee who is an active member of the U.S. Army Reserve, the U.S. Naval Reserve, the U.S. Air Force Reserve, the U.S. Marine Corps Reserve, the U.S. Coast Guard Reserve, the U.S. Public Health Service Reserve, or the Kentucky National Guard.

B. Military Leave; Maximum Amount Paid

KRS 36.140 and 61.394 provide that eligible employees are entitled to a maximum of ten (10) working days per calendar year of paid military leave, provided the orders require absence from their state jobs. Any additional military leave time must be charged to their accumulated annual or compensatory leave balances or it can be charged as leave without pay. How the leave is charged is left up to the discretion of the employee.

C. Requesting the Use of Military Leave

Employees are required to request the use of military leave from their supervisor or designee using the "Request for Leave" form. The request is to be made in advance and a copy of the orders are to be shown to the supervisor in support of the request.

D. Employees Entering Active Military Service

1. Any employee entering active military duty shall be granted a leave of absence without pay for a period of such duty not to exceed six years. All accumulated annual and compensatory leave may be paid in a lump sum, at the request of the employee, upon receiving this leave.
2. A request for this type of leave should be directed to the State Librarian/Commissioner in the form of a memorandum.

3. An employee requesting this type of leave shall be advised in writing of his/her rights under KRS 61.371 to 61.379.

E. Restoration from Active Military Service

Any public employee, as defined in KRS 61.371(1), who meets the requirements of KRS 61.373 shall be restored to his/her former position or a position of like status and pay in accordance with 101 KAR 1:395, Section 1.